

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re Search Warrant No. 16-1061 : Misc. No. 16-1061
to Google : FILED UNDER SEAL

STIPULATION

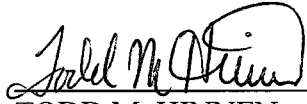
The government by its counsel, Louis D. Lappen, United States Attorney, Robert Livermore and Michael L. Levy, Assistant United States Attorneys, and Andrew Pak, Trial Attorney and Google Inc., by its counsel, Todd M. Hinnen and John R. Tyler, Perkins Coie, LLP, and William DeStefano and Matthew Brunelli, Stevens and Lee, hereby stipulate to the following facts, which may be found by the Court as true for the purposes of this matter:

1. Google Inc. (“Google”) is a U.S.-headquartered company incorporated in Delaware with a principal place of business in California. Among other things, Google offers users a variety of different online and communications services.
2. Google stores user data in various locations, some of which are inside the United States and some of which are in countries outside the United States.
3. Some user files may also be broken into component parts, and different parts of a single file may be stored in different locations (and, accordingly, different countries) at the same time.
4. Google operates a state-of-the-art intelligent network that, with respect to some types of data including some of the data at issue in this case, automatically moves data from one location on Google’s network to another as frequently as needed to optimize for performance, reliability and other efficiencies. As a result, the country or countries in which specific user data, or components of that data, is located may change. It is possible,

therefore, that the network will change the location of data between the time when the legal process is sought and when it is served.

5. Only Google personnel in Google's Legal Investigations Support team are authorized to access the content of communications in order to produce it in response to legal process. All such Google personnel are located in the United States.
6. On August 22, 2016, Google's Legal Investigations Support team received from the government a search warrant seeking certain records associated with a Google account (the "Target Account"). The warrant sought records associated with multiple Google services, including Gmail and Drive.
7. Google undertook diligent efforts to identify responsive information that is located in the United States. For the Target Account, Google retrieved from its network those records that it confirmed were in the United States. Those records included: basic subscriber information, contacts, bookmarks, Location History, Gmail records (excluding emails with attachments) and Drive records (including metadata and other data, but excluding certain files not confirmed to be stored in the United States). Google did not produce data not known to be in the United States for the reasons explained above.
8. As of January 11, 2017, and pursuant to the Search Warrant as clarified by communications with the government, Google had disclosed all responsive information, as set forth in paragraph 7 above, confirmed to be stored in the United States.

For GOOGLE, INC.

A handwritten signature in black ink, appearing to read "Todd M. Hinnen", written over a horizontal line.

TODD M. HINNEN
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For THE UNITED STATES

LOUIS D. LAPPEN
Acting United States Attorney

A handwritten signature in black ink, appearing to read "Robert J. Livermore", written over a horizontal line.

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